U.S. Patent Application No.: 10/830,089 Attorney Docket No. 050229-0436

AMENDMENTS TO THE CLAIMS:

Claims 1-10 Canceled

- 11. (Currently amended) A composition for impairing a hematologic cancer progenitor cell that expresses CD132, but does not significantly express CD131, comprising an antibody and a cytotoxic agent, wherein the composition binds selectively to CD123 in an amount effective to cause and causes impairment of the hematologic cancer progenitor cell.
- 12. (Previously presented) The composition of claim 11, wherein the cytotoxic agent is a chemotherapeutic agent.
- 13. (Previously presented) The composition of claim 11, wherein the cytotoxic agent is a plant-, fungus- or bacteria-derived toxin.
- 14. (Previously presented) The composition of claim 11, wherein the cytotoxic agent is a radioisotope.
- 15. (Previously presented) The composition of claim 14, wherein the radioisotope is an alpha-emitting radioisotope.
- 16. (Currently amended) An assay for detecting the presence of hematologic cancer progenitor cells that express CD132, but do not significantly express CD131 in a sample, comprising introducing to the sample an antibody that binds selectively to CD123 and determining whether the compound binds to a component of the sample.
- 17. (Previously presented) The assay of claim 16, wherein the antibody is labeled with a detectable label.

U.S. Patent Application No.: 10/830,089 Attorney Docket No. 050229-0436

- 18. (Previously presented) The <u>composition of method according to claim 11</u>, wherein the hematologic cancer progenitor cell is a leukemic or malignant lymphoproliferative cell.
- 19. (Previously presented) The <u>composition of method according to</u> claim 18, wherein the leukemic cell is selected from the group consisting of acute myelogenous leukemia, chronic myelogenous leukemia, melodysplastic syndrome, acute lymphoid leukemia, chronic lymphoid leukemia, and myelodysplastic syndrome.
- 20. (Previously presented) The <u>composition of method according to claim 18</u>, wherein the malignant lymphoproliferative cell is a lymphoma.
- 21. (Previously presented) The <u>composition of method according to claim 20</u>, wherein the lymphoma is selected from the group consisting of multiple myeloma, non-Hodgkin's lymphoma, Burkitt's lymphoma, and follicular lymphoma (small cell and large cell).
- 22. (Previously presented) A method for purifying hematopoietic cells that express

 CD132, but do not significantly express CD131, comprising, introducing to a bone marrow cell

 sample or peripheral blood sample a the composition of claim 11 to a bone marrow cell sample

 or peripheral blood sample comprising an antibody and a cytotoxic agent selected from the group

 consisting of a chemotherapeutic agent, a plant-, fungus- or bacteria-derived toxin, and an alpha
 emitting radioisotope, wherein said composition binds selectively to CD123 in an amount

 effective to cause cell death.

U.S. Patent Application No.: 10/830,089 Attorney Docket No. 050229-0436

- 23. (Previously presented) A method for selectively impairing cancerous progenitor cells that express CD132, but do not significantly express CD131 of a patient in need thereof, comprising introducing to the patient's bone marrow or peripheral blood sample a the composition of claim 11 to the patient's bone marrow or peripheral blood sample comprising an antibody and a cytotoxic agent selected from the group consisting of a chemotherapeutic agent, a plant-, fungus- or bacteria-derived toxin, and an alpha-emitting radioisotope, wherein said composition binds selectively to CD123 in an amount effective to cause cell death.
- 24. (Previously presented) A method of purging cancerous progenitor cells <u>that</u> express CD132, but do not significantly express CD131 in a patient in need thereof, comprising:
 - (a) providing an antibody that binds selectively to CD123;
- (b) introducing the antibody to the patient to permit binding of the antibody to cancerous progenitor cells that express CD132, but do not significantly express CD131; and
 - (c) removing bound antibody-cancerous progenitor cells.
- 25. (Previously presented) The method according to claim 24 wherein the antibody is introduced to the bone marrow of the patient.
- 26. (Previously presented) The method according to claim 24 wherein the antibody is introduced to the peripheral blood of the patient.